

**MINUTES RECAP**  
**MARYSVILLE CITY COUNCIL - REGULAR MEETING**  
**MAY 29, 2001**

000001

CALL TO ORDER/FLAG SALUTE	7:00 p.m.
ROLL CALL	All present
MINUTES OF PREVIOUS MEETING 1. City Council retreat, May 4-5, 2001. 2. City Council regular meeting, May 14, 2001. 3. City Council workshop, May 18, 2001.	Approved as corrected. Approved as corrected. Approved as presented.
AUDIENCE PARTICIPATION None.	
PRESENTATIONS/PETITIONS/COMMUNICATIONS 1. Marysville Community Coalition poster contest winners	
CONSENT AGENDA	
1. Approve MAY 29, 2001 claims in the amount of \$515,864.91, paid by check Nos. 59028 through 59339 with check Nos. 58347 and 58500 void. 2. Approve liquor license renewals for Chevron/PDQ Oil Company #1103, Albertson's #471, G.A. Maxwell, and The Great Northern California Tavern. 3. Approve Professional Services Agreement with Economic and Engineering Services, Inc. for Comprehensive Water Plan update.	Approved  Approved.  Approved.
ACTION ITEMS	
REVIEW BIDS None.	
PUBLIC HEARING None.	
CURRENT BUSINESS 1. Utility service outside city limits, workshop scheduled for July 2 Motion for Reconsideration	Motion failed (Workshop stands)
NEW BUSINESS 1. Provide Municipal Court services to City of Arlington  2. Install fire sprinkling system in Public Works maintenance shop building	Approved for staff to pursue; contract to be reviewed by council. Approved.
LEGAL MATTERS None.	
ORDINANCES AND RESOLUTIONS 1. A Resolution of the City of Marysville declaring certain items of personal property to be surplus and authorizing the sale and disposal thereof.	Approved Resolution 2036.
INFORMATION ITEMS	
ADJOURN INTO EXECUTIVE SESSION	9:25 p.m.
RECONVENE INTO REGULAR SESSION	
No Action Taken.	
ADJOURN	9:55 p.m.

**MINUTES  
MARYSVILLE CITY COUNCIL - REGULAR MEETING  
MAY 29, 2001**

**CALL TO ORDER/FLAG SALUTE**

The regular meeting was convened by Mayor Weiser at 7:00 p.m. in the Council Chambers, and the assemblage joined in the flag salute.

Mayor Weiser noted that the meeting was being videotaped and the June 11 meeting would also be videotaped.

A voice roll call was conducted. Attendance was as follows:

Councilmembers Present:	Administrative Staff present:
Dave Weiser, Mayor	Mary Swenson, Chief Administrative Officer
Mike Leighan, Mayor Pro Tem	Robert Carden, Chief of Police
Shirley Bartholomew	Grant Weed, City Attorney
Jim Brennick	Ken Winckler, Public Works Director
NormaJean Dierck	
Donna Pedersen	
Suzanne Smith	
John Soriano	

**MINUTES OF PREVIOUS MEETINGS**

1. City Council retreat, May 4-5, 2001.

Councilmembers noted the following corrections.

- Page 4, change "estate sale" to "foreclosure sale."
- Page 6,7 change "workshop" to "work session."

**MOTION** by Dierck, second by Smith, to approve the minutes of the May 4-5, 2001 council retreat as corrected. Motion carried (7-0).

2. City Council regular meeting, May 14, 2001.

Councilmembers noted the following corrections.

- Page 7, third paragraph, revise to read "...would allow the city to collect higher school . . . ."

**MOTION** by Bartholomew, second by Smith, to approve the minutes of the May 14, 2001 regular council meeting as corrected. Motion carried (7-0).

3. City Council workshop, May 18, 2001.

**MOTION** by Dierck, second by Leighan, to approve the minutes of the May 18, 2001 council workshop meeting as presented. Motion carried (7-0).

### **AUDIENCE PARTICIPATION**

None.

### **PRESENTATIONS/PETITIONS/COMMUNICATIONS**

1. Marysville Community Coalition poster contest winners

Kathy Schindler, 12140 51<sup>st</sup> DR NE, advised she was the representative to the Marysville Community Coalition from the Housing Authority of Snohomish County and served as Chair of the Coalition. She showed the winning posters from Marsha Young of Tulalip Elementary and Joseph Campbell of Cedarcrest School. Ms. Young was not present. Master Campbell showed his poster to councilmembers and staff and received applause and congratulations. Ms. Schindler noted there had been over 500 poster entries from Cedarcrest. Mayor Weiser accepted the posters and stated they would be hung at city hall.

### **CONSENT AGENDA**

1. Approve MAY 29, 2001 claims in the amount of \$515,864.91, paid by check Nos. 59028 through 59339 with check Nos. 58347 and 58500 void.
2. Approve liquor license renewals for Chevron/PDQ Oil Company #1103, Albertson's #471, G.A. Maxwell, and The Great Northern California Tavern.
3. Approve Professional Services Agreement with Economic and Engineering Services, Inc. for Comprehensive Water Plan update.

**MOTION** by Pedersen, second by Bartholomew, to approve consent agenda items 1 and 2. Motion carried (7-0).

Regarding item 3, Councilmember Smith questioned the inclusion of this large of a contract under the Consent Agenda. Mr. Winckler noted the city was required to update its plan every six years; the work would begin this year and conclude during 2002. Councilmember Dierck commented on the details of the proposed plan. Mr. Winckler responded that the city had to meet the state's requirements so some type of water treatment was mandated. The study would consider all the chemical processes that were available. The citizen representatives on the committee would be appointed by the Mayor. The

budget shortfall of \$26,000 would be included in the 2002 budget. Councilmember Soriano asked if the *System Reliability Analysis and Water Shortage Response Plan* was the city's plan that the consultant would review; Mr. Winckler stated it was and that the consultant would suggest additional facilities, if needed.

**MOTION** by Bartholomew, second by Pedersen, to approve consent agenda item 3.

**AMENDMENT OFFERED.** Councilmember Dierck offered a friendly amendment that the scope of work include consideration of alternatives for treating water with council review of that information. Mr. Winckler advised that the contract already included consideration of alternatives.

**AMENDMENT DECLINED.** The maker of the motion declined the amendment.

**VOTE.** Motion carried (7-0).

## **ACTION ITEMS**

### **Review Bids**

None.

### **Public Hearing**

None.

### **Current Business**

1. Utility service outside city limits - workshop scheduled for July 2

Councilmember Leighan explained that he had not been at the meeting where the previous action was taken so had requested the matter be placed on this agenda for reconsideration. He had serious concerns about spending 100 hours of staff time at a cost of approximately \$7,000 to prepare the information for the workshop.

**MOTION** by Leighan, second by Pedersen, to reconsider the action at the May 14 meeting which scheduled the July 2 workshop.

#### **DISCUSSION ON MOTION.**

Councilmember Dierck suggested it was improper to place this as an agenda item; the appropriate place for the discussion was under "Call on Councilmembers." Councilmember Leighan responded that

placing the item on the agenda gave all councilmembers timely notice that the matter would be brought up.

**CALL FOR QUESTION.**

**MOTION** by Bartholomew to cut off debate.

**VOTE.** On roll call vote, Soriano voted nay; all others voted aye; motion carried (6-1).

**VOTE ON MOTION.** Leighan, Pedersen and Bartholomew voted aye; all others voted nay; motion failed (3-4).

**MOTION** by Dierck to clarify that council's process was to bring up Motions for Reconsideration under "Call on Councilmembers."

**NO SECOND.** Motion died for lack of second.

Ms. Swenson advised that this topic was appropriate for discussion at council's work session of June 4. Mr. Weed added that Resolution 2035 controlled the conduct of council meetings. In the event there was an interpretation or decision that needed to be made, that was up to the Mayor unless a majority disagreed. In that case *Roberts Rules of Order* controlled. Council had previously discussed the procedure and agreed that the Resolution was the first line of guidance and *Roberts Rules* would be used only when a contingency was not covered. It was the Mayor's role to state that a motion was out of order and not on the agenda.

**New Business**

1. Provide Municipal Court services to City of Arlington

Susie Larsen, Marysville Municipal Court Administrator, answered council's questions. Her information included the following:

*Arlington has two courts and two judges; how could Marysville absorb that with one court and one judge?* Arlington was currently in the Snohomish County District Court system. Cases heard there were from many surrounding areas, not just the City of Arlington.

*Would the court add extra court days?* If Arlington hired one of Marysville's prosecutors, the calendars would be combined. Additional hours would be added to the regularly scheduled court days.

*Does the city break even from handling the cases from Lake Stevens?* Yes; Lake Stevens pays approximately \$25,000.

*Would the city break even from handling Arlington's cases?* Yes, the estimated income would be \$58,000.

*Would additional staff be needed?* Based on her review of Arlington's 2000 filings, no additional staff would be needed until approximately 2004. However, many factors affected this, including the fact that the City's own Police Department had five or six openings. Filling those would also generate additional filings.

*What was the duration of this contract?* The current plan covered the balance of 2001, only.

*Did staff have adequate space?* Ms. Swenson responded that there had been a proposal to remodel the existing court facilities but it had been stricken until the complete space study was completed. Court space would be tight whether or not the work of another city was taken on.

*Would Arlington be paying Snohomish County \$58,000 if it stayed in that system?* No, it would be paying slightly more. This proposal would result in a price break for Arlington and General Fund revenue to Marysville.

Ms. Larsen added that she had graduated from Central Washington University with a degree in Law and Justice. She began her court administration career at Monroe District Court, then came to Marysville in 1997. Beginning with 1998 the system had been self-supporting and had generated revenues for the city's General Fund.

The Mayor called for public input; there was none.

**MOTION** by Pedersen, second by Bartholomew, to direct staff to pursue providing Municipal Court services to the City of Arlington and to bring the contract for said services back to council when drafted. Motion carried (7-0).

## 2. Install fire sprinkling system in Public Works maintenance shop building

Mr. Kennedy backgrounded council from the agenda materials. Mr. Winckler added that a budget amendment would not be necessary as the Finance Director had assured that sufficient funds were available in one of the utility funds to cover the cost of this work.

After a brief discussion, the Mayor called for public comments. There were none.

**MOTION** by Dierck, second by Brennick, to authorize the installation of a sprinkler system as requested for the sum of \$70,000. Motion carried (7-0).

## Legal

None.

## **Ordinances & Resolutions**

1. A Resolution of the City of Marysville declaring certain items of personal property to be surplus and authorizing the sale and disposal thereof

**MOTION** by Bartholomew, second by Soriano, to approve Resolution 2036. Motion carried (7-0).

## **DISCUSSION ITEMS**

None.

## **INFORMATION ITEMS**

### 1. Mayor's business

- Voting delegates needed to be identified for the AWC Conference in June. After discussion, councilmembers agreed that Leighan, Smith and Mayor Weiser would serve.
- The issue of utility service to the destination resort envisioned by the Tulalip Tribes was covered in a letter he drafted for council review. There was confusion at the staff level about what council's intent had been and what should have been included in the letter. After discussion, the Mayor agreed to supply councilmembers with a revised draft for their review and comment, including an executive summary of the history of court decisions and agreements with the Tribes.

### 2. Staff's business

#### Chief Carden

- 33 people from the Department and the city, including three councilmembers and the Mayor, attended the accreditation ceremony in Tacoma.
- The Department would assertively pursue enforcement of the laws regarding illegal fireworks, including an extensive public education campaign.
- The jail and dispatch center were now fully staffed; he anticipated filling the Officer and Sergeant positions by the end of summer.

#### Ms. Swenson

- Council packets would be ready on Wednesday. The format would change to 3-ring binders.
- A draft calendar of action and discussion items was being prepared to facilitate planning for the balance of the year.

- Council began discussion of a goals process at the retreat; that discussion was scheduled for continuation at the June 7 meeting.

CORRECTED: SEE 6-11-01  
MINUTES

### 3. Call of councilmembers

#### Councilmember Pedersen

At a recent LEOFF I meeting, it was announced that there were excess LEOFF I funds of greater than \$1 Billion and some of that would be coming to the cities.

- Questioned the status of hiring. Ms. Swenson listed the open positions including police officers, grant writer, assistant city engineer, and finance director.
- Asked about the recommendation from the Fireworks Committee. Mayor Weiser advised that would be available on June 18 with a public hearing on June 25.
- Regarding the extensive verbatim transcript that had been prepared of a portion of the April 9 meeting, she suggested making a copy of the tape for the interested council person to listen to would be much less expensive option than having staff prepare typed documents.

#### Councilmember Dierck

- Mentioned a citizen call from Laurie Williams regarding fixing an alley. Mr. Winckler was familiar with the alley in question and agreed to follow up.
- Reported on a citizen call from Gary Gorder, 1927 Third, regarding trucks not abiding by the new truck routes. She asked Chief Carden to follow up.

#### Councilmember Leighan

- Congratulated the Police Department on its accreditation, noting that was a major accomplishment for the city.
- Noted that putting an item on the agenda provided other councilmembers with prior notice that a topic would be discussed. If prior notice was not desired, he would follow the process of bringing items up under "call on councilmembers."

#### Councilmember Smith

- The skateboard park meeting would be June 7 in the Junior High cafeteria.

#### Councilmember Soriano

- Questioned the status of an e-mail message regarding the school crossing by Grace Academy. Ms. Swenson agreed to follow up.

**ADJOURN INTO EXECUTIVE SESSION**

Council adjourned into Executive Session at 9:25 p.m. to discuss pending litigation.

**RECONVENE INTO REGULAR SESSION**

Council reconvened into regular session and took no further action.

**ADJOURN**

The meeting adjourned at 9:55 p.m.

Accepted this 11<sup>th</sup> day of June, 2001.

David W. Wason  
Mayor

Perry Becker  
City Clerk

Ann M. Averis  
Recording Secretary